

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

INDIA EVANS,

Plaintiff,

v.

KILOLO KIJAKAZI,

Defendant.

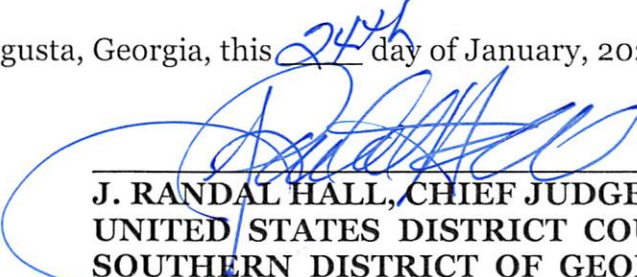
CV621-031

**ORDER**

After a careful de novo review of the record in this case, the Court concurs with the Magistrate Judge's Report and Recommendation (R&R), (doc. no. 33), to which no objections have been filed. Accordingly, the R&R is **ADOPTED**, and Plaintiff's Motion for Attorney's Fees pursuant to 42 U.S.C. § 406(b) is **GRANTED**. (Doc. no. 32.)

Plaintiff's counsel is awarded \$10,953.75 in attorney's fees, which is equal to 25 percent of the total past due benefits awarded to Plaintiff as contemplated by the contingent fee agreement between Plaintiff and counsel. The Court has already awarded fees under the Equal Access to Justice Act ("EAJA") totaling \$6,015.63. (Doc. no. 31.) Therefore, upon receipt of the § 406(b) fee award, Plaintiff's counsel must refund the previously received EAJA fee award amount directly to the Plaintiff. (Doc. no. 33 at 4 (citing, *inter alia*, *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002)).)

**ORDER ENTERED** at Augusta, Georgia, this 24<sup>th</sup> day of January, 2024.

  
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J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA